

REMARKSClaim Amendment:

By the present amendment, Claim 12 has been amended to define the claimed invention with greater specificity by emphasizing that the claimed aqueous liquid composition provides sudsing. Support for this amendment is found in the Specification, especially at page 4, paragraph 4, and page 5, paragraph 2. Further, Claim 12 has also been amended to provide levels for the amount of amine oxide surfactant, specifically, 0.5% to 10%. Support for this amendment can be found in the Specification on page 4, paragraph 2. Applicants submit that no new matter has been added by this amendment.

Upon entry of this Claim amendment, Claims 12-20 are pending. No additional claims fee is due.

Rejections Under 35 USC 103:*USPN 5,387,373, Naik*

The Examiner has rejected Claims 12-20 under 35 U.S.C. § 103 as unpatentable over USPN 5,387,373 to Naik (hereinafter “Naik reference”). Applicants respectfully traverse the rejection. Specifically, the Examiner states that Naik reference teaches a liquid or gel detergent composition comprising an alkyl ethoxylate sulfate surfactant and a betaine and/or an amine oxide and cites Comparative Example B as support. The Examiner is already aware of Applicants position regarding the use of a comparative example (i.e. one not within the scope of the invention described in the reference) to reject the instant Application. A comparative example is almost always used to teach away from that which is claimed – this instance is no different. The Naik reference Comparative Example B (Naik reference, column 8, lines 41-55) is attempting to exemplify the manner in which Naik’s invention “can serve to replace all of the alkyl ether sulphate” (Naik reference, column 3, lines 2-5).

Applicants respectfully submit that Naik reference, even in it's broadest embodiments, fails to teach or suggest the claimed invention as claimed in Claim 12, as amended, because Naik reference fails to teach an aqueous liquid detergent composition comprising from 30% to 70% by weight of the total composition of water, and a surfactant mixture comprising: (a) an alkyl alkoxy sulfate surfactant of the formula $R_1O(A)_xSO_3M$, where R_1 is an alkyl or alkenyl group having 9 to 16 carbon atoms, A is an alkoxy group, x represents 0.5 to 3 in average, and M is a member selected from the group consisting of alkali metals, alkali earth metals, ammonium and alkanolammonium, wherein from 20% to 60% by weight of the total alkyl alkoxy sulfate comprises an alkyl alkoxy sulfate wherein R_1 is branched such that the composition provides sudsing; and (b) 0.5% to 10% of an amine oxide surfactant.

More specifically, Comparative Example B of the Naik reference comprises only 10% alkyl ether sulfate surfactant (Lialet 123-3S) and -0- amine oxide.

Accordingly, Applicants respectfully submit that Claim 12, as amended, and Claims 13-20 which ultimately depend from Claim 12, as amended, are not rendered obvious over Naik reference. MPEP 2143.03.

USPN 5,858,950, Surutzidis, et al.

The Examiner has also rejected Claims 12-20 under 35 U.S.C. § 103 as unpatentable over USPN 5,858,950 to Surutzidis, et al. (hereinafter “Surutzidis reference”). Applicants respectfully traverse. As stated before, the Surutzidis reference states “[t]hese compositions are low sudsing.” (Surutzidis, Abstract). In fact, they are so low-sudsing that “other suds suppressing agent[s] may only be required in minimum amounts.” (Surutzidis, Column 1, lines 37-41, *see also* Column 2, lines 31-33). The reference is directed to surfactants that may “usefully be employed in other washing processes where *suds control is of importance.*” (Surutzidis, Column 6, lines 6-12, *emphasis added*).

Nevertheless, at the request of the Examiner, Applicants have amended the only independent instant Claim, Claim 12, to emphasize this notable difference between the Surutzidis reference and the claimed invention. The Surutzidis reference fails to teach, suggest, and, in fact, teaches away from the claimed Invention, as claimed in Claim 12, as amended. Therefore the Applicants’ invention is patentable over the Surutzidis reference.

Accordingly, applicants respectfully submit that Claim 12, as amended, and Claims 13-20, which ultimately depend from Claim 12, as amended, are not rendered obvious over Surutzidis. MPEP 2143.03.

CONCLUSION

Applicants have made an earnest effort to distinguish the claimed invention from the applied documents and to place the instant Application in condition for allowance.

WHEREFORE, entry of the Claim amendments, and reconsideration of the rejections of the Claims, as amended, in light of the Remarks provided, and allowance of Claims 12-20, as amended, are respectfully requested.

Respectfully submitted,
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12. An aqueous liquid detergent composition comprising from 30% to 70% by weight of the total composition of water, and a surfactant mixture comprising:

a) an alkyl alkoxy sulfate surfactant of the formula $R_1O(A)_xSO_3M$, where R_1 is an alkyl or alkenyl group having 9 to 16 carbon atoms, A is an alkoxy group, x represents 0.5 to 3 in average, and M is a member selected from the group consisting of alkali metals, alkali earth metals, ammonium and alkanolammonium, wherein from 20% to 60% by weight of the total alkyl alkoxy sulfate comprises an alkyl alkoxy sulfate wherein R_1 is branched such that the composition provides sudsing; and

b) 0.5% to 10% of an amine oxide surfactant.